

1910-002
Lee Co.

Chancery Causes: Petition of C. T. Duncon, trst. bc

Hyatt, Sewell, Pridemore, Cook, Baker, Pennington, Jonesville Institute,
Big Stone Gap District of the Holston Conference of the Methodist Episcopal Church

CA - Other
T - Property
Churches

To the Hon. H. A. W. Skeen, Judge of the Circuit Court for Lee County, Virginia.

Humbly complaining your orators C. T. Duncan, J. A. G. Hyatt, L. T. Hyatt, A. G. Hyatt, D. C. Sewell, H. H. Pridemore, B. F. Couk, W. A. Baker, and Robt. L. Pennington, Trustees for the property known as the Jonesville Institute belonging to the Big Stone Gap District of the Holston Conference of the Methodist Episcopal Church, South, would respectfully represent and show unto your honor that as Trustees they are the holders of the legal title to a school house and lot situated in the Town of Jonesville, County of Lee, containing about 2 acres more or less and being bounded on the south by Institute Street, on the west and north by the lands of Charles B. Gibson, and on the east by Cross street leading to the Fair ground of the Lee County Fair Association. That said property was originally acquired by the said church for educational purposes to assist the community and section of Country in which the same is located in the cause of the education of the young; that at the time of the acquisition of said property and until recent years the cause of higher education in Virginia was largely left to the churches of the different denominations, but that in recent years the State of Virginia has taken a greater and more active part in the cause of and lending its aid to the cause of education and has built up in nearly all communities graded and high schools which afford free tuition to the pupils, thereby relieving the necessity for church institutions for educational purposes, and on account of affording free tuition has made for church institutions of the intermediate grades of schools the maintenance of church schools impracticable. This being the situation in the Town of Jonesville in regard to the Jonesville Institute property, it has become apparent that it is to the best interest of the church owning said property and to the part of the purpose for which it had organized said school to turn the same over to the

State that the State might propigate the work and cultivate the field more profitably and more efficiently than could the said church. Notwithstanding the value of the property owned by the said church is something like \$15,000.00, at a recent session of the Big Stone Gap District Conference, a resolution was passed authorizing and directing the Trustees of the Jonesville Institute to convey the title to the said property to the Trustees of the Jonesville High School District, a political subdivision of the State of Virginia for educational purposes, as will more fully appear by a certified copy of the minutes of the said Conference which is herewith filed as part of this petition marked as exhibit "A".

The object, therefore, of this petition is to obtain an order by virtue of Section 1406 of the Code of Virginia and other sections made and provided governing cases of this sort authorizing your petitioners as such Trustees to convey to the Trustees of the said Jonesville High School District ~~xx~~ the said property upon the terms stated in the said exhibit "A".

The prayer, therefore, of your petitioners is that an order be entered authorizing your petitioners to convey the said property to the Trustees of the Jonesville High School District in compliance with the wish of the said church as expressed in the said exhibit "A". And may such other general relief be granted your petitioners that the nature of their cause may require, and they will ever pray &c.

C. T. Duncan,
J. A. G. Hyatt,
L. T. Hyatt,
A. G. Hyatt,
D. C. Sewell,) Trustees of Jonesville Institute.
B. F. Couk,
H. H. Pridemore,
W. A. Baker,
R. L. Pennigton,

By C. T. Duncan & R. L. Pennigton Attorneys.

IN THE CIRCUIT COURT FOR LEE COUNTY IN VACATION.

JULY 30, 1910.

This day C.T.Duncan, J.A.G.Hyatt, L.T.Hyatt, A.G.Hyatt, D.C. Sewell, B.F.Couk, H.H.Pridemore, W.A.Baker, R.L.Pennington, Trustees of the Jonesville Institute, filed their petition in vacation under Section 1406 of the Code of Virginia, asking for authority to convey ~~to convey~~ the property held by them as Trustees to the Trustees of the Jonesville High School District, a political subdivision of Virginia.

And it appearing to the court from the said petition and exhibits filed therewith that it is the wish of the Big Stone Gap District of the Methodist Episcopal Church, South, as expressed in the resolution passed by the District Conference as shown by Exhibit "A" filed with said petition, that the said conveyance should be made, it is therefore adjudged, ordered and decreed that the said Trustees be and are hereby authorized to make conveyance of the said property known as the Jonesville Institute property and described in the said petition to the said Trustees of the Jonesville High School District upon the terms and conditions mentioned in the said resolution of the said District Conference filed with the said petition as exhibit "A", and upon execution of the said deed to deliver the same to the said Trustees of the said Jonesville High School District.

H.A.W. Smith
Judge of the Circuit Court for Lee County.

To H.C.T.Ewing, Clerk.

Exhibit "A"
Petition of
Ed. Summitt et al
Trustees

Nickelsville, Va. 1910

In regard to the memorial from the Board of Trustees of Jonesville Institute in reference to the transfer of the title of that property from the Church to the Trustees of Jonesville High School District, we, the members of your committee in the minority beg leave to submit the following report:

After carefully considering the situation in regard to Jonesville Institute, and having in view the highest educational interest of the people of Jonesville and vicinity, and likewise having in view the continued progress and development of Methodism in in the same territory for generations to come, we are moved to respectfully submit to this District Conference the passing of the following resolution, namely:

Therefore, be it now resolved by the Big Stone Gap District Conference of the Holston Conference of the M. E. Church South, that the Trustees of the said Jonesville Institute be and are hereby authorized to negotiate with

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Nickelsville, Va.

1910

the Trustees of the said Jonesville High School District for the sale and transfer of the title in the said property, and to take such steps, legal or otherwise, as will be necessary to convey the title of the said property now in the M. E. Church South, to the Trustees of the Jonesville High School District of Lee County, in consideration that the said Trustees of the Jonesville High School District of Lee County pay to the said Trustees of the said Jonesville Institute the sum of five dollars (\$5⁰⁰), to be disposed of as may be directed by the proper authorities of the Church.

I, W. C. Thompson, Secretary of the Big Stone Gap District Conference, held at Norton on May 26th, 27th, and 28th, 1910, do hereby certify that the foregoing is a true copy of a resolution passed by the said District Conference, and that said resolution was unanimously adopted.

Given under my hand this the 24th day of June, 1910.
Attest: W. C. Thompson, Secretary
Presiding Elder,

C. J. Duclon et al.
Trustees -

Ex Parte Petition

Entered in CCB
No 9 page 38.